IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIUR BENCH, JAIPUR.

S.B.Civil Writ Petition No.9484/2002.

1. Radheyshyam Purushotam Lal Trading Company through its proprietor Rajendra Prasad.
Versus.
State of Rajasthan 7 Another.

2.S.B.Civil Writ Petition No.9485/2002.

Mahesh Trading Company
Versus.
State of Rajasthan & Another.

3.S.B.Civil Writ Petition No.9486/2002.

M/s.Surajmal Satya Narain
Versus.
State of Rajasthan & Anr.

4.S.B.Civil Writ Petition No.9418/2002.

M/S.MangtuRam Ramgopal Trading Company.
Versus.
State of Rajasthan & Anr.

5.S.B.Civil Writ Petition No.9415/2002.

Manoj Trading Company
Versus.
State of Rajasthan & Anr.

Date of Order: 10.1.2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ.

Mr.Mahendra Goyal for the petitioner.

Mr.Inderjeet Singh for the respondents.

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Heard learned counsel for the parties.

The petitioners have challenged the order by which their licence has been suspended for a period of 6 months by the respondents (Administration) of Krishi Upaj Mandi Samiti, Surajgarh vide order dated 13th February,2002. The petitioners were although supplied some of the details along with charge sheet which is the foundation of the order suspending their licence, but the order of suspension by itself does not contain the reasons.

The appellate authority (Director, Agriculture Marketing, Government of Rajasthan, Jaipur has also affirmed the order of suspension while rejecting the appeal by his order dated 10th September, 2002 preferred by the petitioners, but he has also not addressed to the point as to for what reasons the licence of the petitioners was suspended and such order is not a speaking and reasoned order.

The learned counsel for the parties at idem that this very controversy has been dealt with D.B.Civil Spl.Appeal Writ No.81/2003 decided on 2nd April,2003 which was later on

followed by another

Division Bench in D.B.Civil Special Appeal (W) No.78/2003, decided on 4.4.2003 in which liberty was given to the respondents to proceed and pass reasoned order after obtaining explanation from the petitioners/appellants.

The writ petitions are therefore allowed in terms of the aforesaid two Division Bench judgments and the order dated 13.2.2002 and 10.9.2002 are set-aside with liberty to the respondents to proceed afresh against the petitioners and provide them opportunity of hearing and pass a reasoned order.

With the above observations, these writ petitions are allowed with no order as to costs.

(**Mohammad Rafiq.)J**.

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